

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

WORD TO INFO INC,
Plaintiff,
v.
FACEBOOK INC.,
Defendant.

Case No. 15-cv-03485-WHO

**ORDER GRANTING IN PART AND
DENYING IN PART MOTION TO
DISMISS**

Re: Dkt. No. 17

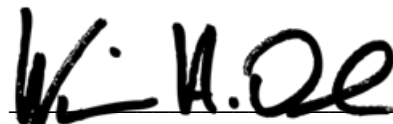
On February 5, 2015, while this case was still pending in the Northern District of Texas, defendant Facebook Inc. filed a motion to dismiss plaintiff's complaint. Dkt. No. 17. Facebook raised two arguments in the motion: (1) lack of personal jurisdiction; and (2) insufficient allegations in support of plaintiff's willful infringement claims. *Id.* Although Facebook has not re-noticed the motion for hearing since this case was transferred to this district more than three months ago, it recently commented in its joint case management statement that the motion remains pending insofar as it concerns the willfulness issue. Dkt. No. 69 at 4.

At the case management conference today, the parties did not dispute that Facebook's motion to dismiss plaintiff's willfulness claims is based on the same analysis and concerns materially identical allegations as Google's motion to dismiss plaintiff's willfulness claims, which I recently granted. *See Word to Info, Inc v. Google Inc.*, No. 15-cv-03486-WHO, 2015 WL 6126472, at *2-3 (N.D. Cal. Oct. 19, 2015). Accordingly, pursuant to the reasoning and authorities cited in that Order, Facebook's motion to dismiss plaintiff's willfulness claims is GRANTED. Facebook's motion to dismiss for lack of jurisdiction is DENIED AS MOOT in light of the transfer to this district.

Plaintiff shall file its amended complaint within 10 days of the date of this Order.

IT IS SO ORDERED.

Dated: November 10, 2015


WILLIAM H. ORRICK
United States District Judge